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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/626,472	07/24/2003	Matthew R. Libera	STEVENS 3.0-007	1312	
27614	7590 09/09/2005		EXAM	INER	
MCCARTE	R & ENGLISH, LLP		DICUS, TAMRA		
FOUR GATE	WAY CENTER			ART UNIT PAPER NUMBER	
100 MULBER	100 MULBERRY STREET			PAPER NUMBER	
NEWARK, N	NJ 07102		1774		

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

·						
	Application No.	Applicant(s)				
·	10/626,472	LIBERA ET AL.				
Office Action Summary	Examiner	Art Unit				
	Tamra L. Dicus	1774				
The MAILING DATE of this communication a Period for Reply	appears on the cover sheet v	with the correspondence address				
A SHORTENED STATUTORY PERIOD FOR REF WHICHEVER IS LONGER, FROM THE MAILING  - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by sta Any reply received by the Office later than three months after the may earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUN 1.136(a). In no event, however, may a iod will apply and will expire SIX (6) MO tute, cause the application to become	IICATION. a reply be timely filed  DNTHS from the mailing date of this communication.  ABANDONED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on						
3) Since this application is in condition for allow	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice unde	er Ex parte Quayle, 1935 C.	D. 11, 453 O.G. 213.				
Disposition of Claims						
4) Claim(s) 1-35 is/are pending in the applicati	on.					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) <u>1-35</u> are subject to restriction and/	or election requirement.					
Application Papers						
9) The specification is objected to by the Exam	iner.					
10) The drawing(s) filed on is/are: a) a		b by the Examiner.				
Applicant may not request that any objection to t		-				
Replacement drawing sheet(s) including the corr	rection is required if the drawin	g(s) is objected to. See 37 CFR 1.121(d).				
11)☐ The oath or declaration is objected to by the	Examiner. Note the attache	ed Office Action or form PTO-152.				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:  1. Certified copies of the priority documents.  2. Certified copies of the priority documents.  3. Copies of the certified copies of the priority documents.	ents have been received. ents have been received in riority documents have bee	Application No				
* See the attached detailed Office action for a l	, , , , , , , , , , , , , , , , , , , ,	ot received.				
	·					
Attachment(s)						
Notice of References Cited (PTO-892)   Notice of Draftsperson's Patent Drawing Review (PTO-948)		r Summary (PTO-413) o(s)/Mail Date				
<ul> <li>Notice of Draitsperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statement(s) (PTO-1449 or PTO/SB/Paper No(s)/Mail Date</li> </ul>		f Informal Patent Application (PTO-152)				

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## **DETAILED ACTION**

## Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-16, drawn to a patterned polymer, classified in class 428, subclass 195.1.
- II. Claims 17-35, drawn to a method of making a patterned polymer, classified in class 427, subclass 492.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the polymer of I can be made by exposing the dry polymer prior to application on a substrate.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to William Smith on 08/30/05 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the

inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the

currently named inventors is no longer an inventor of at least one claim remaining in the

application. Any amendment of inventorship must be accompanied by a request under 37 CFR

1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tamra L. Dicus whose telephone number is 571-272-1519. The

examiner can normally be reached on Monday-Friday, 7:00-4:30 p.m., alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free

Tamra L. Dicus

Examiner

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September 1, 2005

SUPERVISORY PATENT EXAMINER

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